The Pittsburgh Gazette.

Vol. 14. SATURDAY, Auguſt 17, 1799. No.

PITTSBURGH: PRINTED BY JOHN SCULL, IN FRONT STREET, NEXT DOOR TO THE CORNER OF MARKET-STREET.

TO BE SOLD,

A PLANTATION ſituate at the mouth of Jacob's creek, on Youghiogany river, Weſtmoreland county, Pennſylvania, containing 205 acres and allowance. There are on the premiſes a good two ſtory ſquared log Houſe, an orchard of about 200 bearing apple trees, ſome peach trees, 15 acres of excellent timothy meadow, and between 30 and 40 acres more of clear'd land; upwards of one half of this tract is rich bottom, fit for meadow, greateſt part of which may be watered, as it lies a good ſpring at the houſe, and there are ſeveral others on the tract. There is alſo a very good mill-ſeat—and the creek and river abound with good fiſh of different ſorts.

Alſo, to be ſold with the above, one half part of a Tract of Land, adjoining, containing 148 acres and allowance, of very rich upland.

Sundry other Tracts of Land in Weſtmoreland and Allegheny counties.

A Tract of Land ſituate in Ohio county, Virginia, on Whelen creek, about ten miles from the town of Whelen, containing 700 acres.

Indiſputable titles will be made. For terms of ſale any perſon wiſhing to purchaſe may apply to the ſubſcriber living in Allegheny county, at Braddock's Ford, oppoſite the mouth of Turtle creek.

GEORGE THOMPSON.

Auguſt 1, 1799.

NOTICE.

THE *public are cautioned againſt receiving a note of hand given by the ſubſcriber to* Whelan and Miller *in the fall of the year* 1795, *for* One Hundred Thirty Nine Pounds Fifteen Shillings and Five Pence, *as the ſubſcriber has paid the amount of ſaid note to the ſaid Whelan and Miller, for which payment he has their receipt in full, dated 5th December* 1796, *and ſtating as a reaſon why the note was not then given up to the ſubſcriber, that it was in the hands of Mr. Elie Williams.—The ſubſcriber took the precaution of recording the aforeſaid receipt in the office of the recorder for the county of Hamilton. As the ſaid note has already been indorſed it is poſſible that it may be offered by ſome perſon unacquainted with the circumſtance, and who might thereby be impoſed upon—to prevent which this notice is given.*

JOHN M'CULLAGH.

Cincinnati, June 30, 1799.

At a Court of Common Pleas held at Pittſburgh for the county of Allegheny, the firſt Monday of June, in the year of our Lord one thouſand ſeven hundred and ninety nine, before the Hon. Alexander Addiſon, Eſquire, and his Aſſociates, Judges of the ſame Court.

ON the petition of John Kingan, a priſoner in the jail of ſaid county, praying to be diſcharged according to the proviſions of the acts of aſſembly made for the relief of inſolvent debtors. The Court order, that the ſaid priſoner be brought before them at Pittſburgh, on the firſt Monday of September next, that his petition and his creditors may be then heard—and direct, that notice of his application be publiſhed in the Chambersburgh and Pittſburgh newſpapers, three weeks, the laſt of which ſhall be at leaſt fifteen days before the time of hearing.

By the Court,
JAMES BRISON, Proth'y.

TAKEN up by the ſubſcriber living in the borough of Pittſburgh, about the firſt of July laſt, a red and white COW and CALF. I have advertiſed her by written handbills for ſome time. The owner is deſired to come, prove property, pay charges, and take her away.

ROBERT ANDERSON.

Auguſt 6, 1799.

TO THE PUBLIC.

THE ſubſcriber informs his friends and the public, that he intends ſtanding a poll for the *Commiſſioner's Office*, at the enſuing Election, and ſolicits their votes and intereſt.

STERLING JOHNSTON.

Allegheny county, Auguſt 7, 1799.

THE *Honorable Court of Allegheny county having appointed us the ſubſcribers, auditors to ſettle the eſtate of Samuel Dearman, in a caſe of attachment; James Speir's againſt Samuel Dearman. We do hereby notify all perſons who have any demands againſt Samuel Dearman, to bring in their accounts properly proven, on or before the laſt day of this inſtant, that they may be adjuſted. Given under our hands this 1ſt day of Auguſt* 1799.

JOHN M'MASTERS,
WILLIAM M'ILROY,
JOHN JOHNSTON, } *Auditors.*

To be Leaſed,

AND poſſeſſion given the firſt of October next, for one year, or any term of years, the FARM which I now occupy, containing upwards of 200 acres, lying on Racoon creek. 40 acres cleared and under good fence, about 8 acres of which is meadow, and a large quantity more can be made on the creek bottom; there is alſo a young bearing orchard of 50 apple, beſides a number of peach trees. Horſes, Cows, and ſundry Farming Utenſils will be ſold on the premiſes, by vendue, on the 10th of September next, for which a generous credit will be given.

ALEXANDER SPEIR.

Racoon, Auguſt 1, 1799.

WILLIAM CHRISTY,

Has juſt received a freſh ſupply of

GOODS,

which he will ſell at the moſt reduced prices for Caſh, &c.

Pittſburgh, Auguſt 10, 1799.

Ten Dollars Reward.

DESERTED from this poſt, on the 27th inſtant, JACOB NIGH, a ſoldier belonging to the garriſon, 22 years old, 5 feet 5 and an half inches high, dark complexion, dark hair, dark eyes, born in Cumberland county, Pennſylvania, by trade a ſhoemaker, has reſided for ſome time paſt near Pittſburgh; had on when he went away an old round hat, a pair of linen overalls and a ſhirt, without any other cloathing except a black ſtock about his neck. Whoever will apprehend ſaid deſerter, and deliver him to the commanding officer at this poſt, or to any officer in the ſervice of the United States, or confine him in any jail and give information ſo that he may be had, ſhall receive the above reward and all neceſſary charges.

EDWARD D. TURNER,
Capt. Comdg.

Fort Fayette, (Pittſburgh)
July 28, 1799

Juſt arrived and for Sale, a quantity of Excellent

FINE SALT,

at JAMES O'HARA's.

Pittſburgh, May 10, 1799

Treaſury Department,

MARCH 11, 1799.

Public Notice is hereby given,

Purſuant to the Act of Congreſs paſſed on the 1ſt day of June, one thouſand ſeven hundred and ninety ſix, entitled "An Act regulating "the grants of land appropriated for military "ſervices, and for the ſociety of United Bre"thren for propagating the goſpel among "the Heathen;" and the Act ſupplementary to the ſaid recited Act paſſed on the ſecond day of March, one thouſand ſeven hundred and ninety-nine—to wit,

I.

THAT the tract of Land hereinafter deſcribed namely, 'beginning at the north weſt corner of the ſeven ranges of townſhips, and running thence fifty miles due ſouth, along the weſtern boundary of the ſaid ranges;—thence due weſt to the main branch of the Scioto river; thence up the main branch of the ſaid river to the place where the Indian boundary line croſſes the ſame—thence along the ſaid boundary line to the Tuſcaroras branch of the Muſkingum river at the croſſing place above Fort Lawrence—thence *down* the ſaid river to the point where a line run due weſt from the place of beginning, will interſect the ſaid river; then along the line ſo run to the place of beginning;' has been divided into townſhips of five miles ſquare, and fractional parts of townſhips; and that plats and ſurveys of the ſaid townſhips and fractional parts of townſhips are depoſited in the offices of the Regiſter of the Treaſury and Surveyor General, for the inſpection of all perſons concerned,

II.

The holders of ſuch warrants as have been or ſhall be granted for military ſervices performed during the late war, are required to preſent the ſame to the Regiſter of the Treaſury, at ſome time prior to the twelfth day of February, in the year one thouſand eight hundred, for the purpoſe of being regiſtered; No regiſtry will however be made of any leſs quantity than a quarter townſhip, or four thouſand acres,

III.

The priority of location of the warrants which may be preſented and regiſtered in manner aforeſaid, prior to the twelfth day of February in the year one thouſand eight hundred, will immediately after the ſaid day, be determined by lot, in the mode preſcribed by the act firſt recited.

IV.

The holders of regiſtered warrants, ſhall on Monday the 17th day of February, in the year 1800, in the order in which the priority of location ſhall be determined by lot as aforeſaid, perſonally or by their agents, deſignate in writing at the office of the Regiſter of the Treaſury, the particular quarter townſhips elected by them reſpectively, and ſuch of the ſaid holders as ſhall not deſignate their locations on the ſaid day, ſhall be poſtponed in locating ſuch warrants to all other holders of regiſtered warrants.

V.

The holders of warrants for military ſervices ſufficient to cover one or more quarter townſhips or tracts of four thouſand acres each; ſhall at any time after Monday the 17th day of February 1800, and prior to the firſt day of January 1802, be allowed to regiſter the ſaid warrants in manner aforeſaid, and forthwith to make locations therefor on any tract or tracts of land not before located.

VI.

All warrants or claims for lands on account of military ſervices, which ſhall not be regiſtered and located before the firſt day of January 1802, are by the ſupplementary act of Congreſs herein before recited, paſſed on the ſecond day of March, 1799, declared to be forever barred.

Given under my hand at Philadelphia, the day and year above mentioned.

OLIVER WOLCOTT,
Secretary of the Treaſury.

Sheriff's Sales.

BY virtue of two writs of venditioni exponas, iſſued out of the Supreme Court, to me directed, one at the ſuit of Alexander Henry and James Boggs, the other at the ſuit of John C. Freecker, againſt John Nicholſon, will be expoſed to Public Sale at the Court Houſe in the Borough of Pittſburgh, on Wedneſday the 21ſt day of Auguſt next, at 10 o'clock in the forenoon, the following deſcribed Tracts of Land, to wit:

Five Hundred and Forty Tracts of Donation Lands ſituate, lying and being in the different Donation diſtricts, in the county of Allegheny, held by ſaid John Nicholſon in right of ſundry ſoldiers and officers whoſe names are ſet forth in a certain deed indented from ſaid Nicholſon and wife to Theophile Cazenove and others, bearing date the 27th March, 1797, recorded in the office for recording deeds in Book F, page 271, &c. containing in the whole 100,000 acres, or thereabouts, be the ſame more or leſs, ſubject to the claim of Theophile Cazenove and others to an undivided forty thouſand acres thereof, and to levy made by two other writs of fieri facias one at the ſuit of ſaid Henry and Boggs, the other at Samuel Watt,

Thirty thouſand acres, or thereabouts, be the ſame more or leſs, ſituated on the waters of French creek and Little Conеat, north and weſt of the rivers Ohio and Allegheny and Conewango creek, held by ſeventy four warrants under act of aſſembly of 3d April, 1792, dated 13th April, 1792.

Five Tracts of Depreciation Land in Nicholſon's Depreciation Diſtrict, numbered 132, 133, 134, 135 and 138.

One Hundred and Twenty Tracts of Land, ſituate in Diſtrict No. 6, (Nicholſon's) north and weſt of the rivers Ohio and Allegheny and Conewango creek, ſurveyed on warrants under act of aſſembly of 3d April, 1792, containing each tract 400 acres, or thereabouts, be the ſame more or leſs. Seized and taken in execution and to be ſold by me

EPHRAIM JONES, Sheriff.

July 9, 1799.

And by virtue of writs of venditioni exponas iſſued out of the Court of Common Pleas of Allegheny County, and to me directed, will be expoſed to ſale at the ſame time and place,

A Tract of Land containing 200 acres, be the ſame more or leſs, ſituate in Mifflin townſhip, adjoining lands of William Cochran, Wm. M'Gill, William Steally, and Joſeph Pain—Taken in execution as the property of Robert Craigheid, at the ſuit of Hugh Davidſon.

A Tract of Land, containing 108 acres, be the ſame more or leſs, ſituate in Mifflin townſhip, adjoining lands of Benjamin Reed, William M'Kee, Nathaniel Patterſon, and Thomas Finney. Taken in execution as the property of Neil M'Coy, at the ſuit of James Sample and Matthew Hartford.

Lots K and L, being portions of Lots No. 132 and 133, in the Borough of Pittſburgh, containing each 60 feet in front upon Liberty ſtreet, and extending back 110 feet to Brewery alley, which alley is unknown in the general plan of ſaid Borough, but laid off for the accommodation of the inhabitants. Alſo, Lots N, O, P, Q, R and T, being portions of Lots No. 10, 11, 12, 13, 14, 15 and 16, containing each 60 feet front on Penn ſtreet, and extending back to Butler ſtreet, which was alſo laid off for the convenience of the inhabitants, as per plan of the Point Lots, recorded in the office for Recording of Deeds of Allegheny county, may be ſeen—alſo, one Lot in the general plan of the Borough of Pittſburgh aforeſaid, No. 371.—Taken in execution as the property of Turnbull, Marmie & Co. at the ſuit of Elliot, Williams & Co. and to be ſold by me,

EPHRAIM JONES, Sheriff.

July 10, 1799.

At a Court of Common Pleas held at Pittſburgh, for the county of Allegheny, the third day of June, in the year of our Lord one thouſand ſeven hundred and ninety nine, before the Hon. Alexander Addiſon, Eſquire, Preſident, and his Aſſociates, Judges of the ſame Court.

ON the petition of Daniel M'Munn, a priſoner in the jail of the ſaid county, praying to be diſcharged according to the proviſions of the acts of aſſembly made for the relief of inſolvent debtors. The Court order, that the ſaid priſoner be brought before them at Pittſburgh, on the firſt Monday of September next, that his petition and his creditors may be then heard, and direct, that notice of his application be publiſhed in the Pittſburgh Gazette three weeks, the laſt of which ſhall be at leaſt fifteen days before the time of hearing.

By the Court,
JAMES BRISON, Proth'y.

Whereas my wife Ann Handlyn

has behaved herſelf ſo notoriouſly ill in almoſt every reſpect whatſoever, that I cannot poſſibly live with her any longer. Theſe are therefore to forwarn all perſons from truſting her on my account, as I am determined not to pay any debts of her contracting.

JOHN HANDLYN.

Came to the plantation whereon

the ſubſcriber lives, at the two mile run, on the Monongahela river, a ſpotted white and dun coloured COW, calved about two months ago. The owner is deſired to come, prove property, pay charges, and take her away.

ROBERT AULD.

Auguſt 6, 1799.

Donation Lands.

NOTICE is hereby given that claims for NATION LANDS granted by the Commonwealth of Pennſylvania to the Officers and Soldiers of the line belonging to the ſaid State in the late war, will be received at the Office of the Comptroller General of ſaid State until the 1ſt day of September next, inclusive, and that the ſaid Office authorized by law, will ſit as a Board at the ſaid Office on every Monday, from ten o'clock in the forenoon until one in the afternoon, to hear and determine all unſatisfied claims already filed as well as thoſe which may be filed on or before the ſaid firſt day of September next.

JOHN DONNALDSON, Comptroller General.
SAMUEL BRYAN, Regiſter.
PETER BAYNTON, Treaſurer.

Department of Accounts of Pennſylvania, May 15, 1799.

At an adjourned Court of Common Pleas held at Pittſburgh for the county of Allegheny, the ſecond day of July, in the year of our Lord one thouſand ſeven hundred and ninety nine, before John M'Dowell and John Wilkins, Eſquires, Judges of the ſame Court.

ON the petition of Benjamin Bennet, a priſoner in the jail of ſaid county, praying to be diſcharged according to the proviſions of the acts of aſſembly made for the relief of inſolvent debtors. The Court order, that the ſaid priſoner be brought before them at Pittſburgh, on the firſt Monday of September next, that his petition and his creditors may be then heard, and direct, that notice of his application be publiſhed in the Weſtern Telegraphe & Pittſburgh Gazette three weeks in each, the laſt of which ſhall be at leaſt fifteen days before the time of hearing.

By the Court,
JAMES BRISON, Proth'y.

Foreign Intelligence.

PARIS, May 23.

The whole Municipal Adminiſtration of Paris has been diſmiſſed for holding a conference to thoſe of the Government.

The following is extracted from a letter dated Grenoble, 16 Floreal, May 15: "Pius VI. will paſs through this town Champier, where he will be conveyed to Turin. A report is in circulation of a battle having been fought on the 11th inſtant, by General Moreau, the iſſue of which was, that he effected his junction with the army of Macdonald."

General Moreau has received letters from General Moreau, ſtating, that a junction had been effected between Gen. Macdonald and himſelf, and that the former is in Tuſcany, whence it is advancing to the Po. Gen. Macdonald, of Kienau, which was in the environs of Parma, has precipitately retreated. Moreau has the enemy at bay on the ſide of Teſſino, and Macdonald is approaching Mantua by the way of Modena, for the purpoſe of raiſing the ſiege of that fortreſs, uncovering the left flank of the Auſtrian army.

The inſurgents in the Canton of Uri have deſtroyed the Devil's Bridge, which is a great curioſity, to prevent the Ciſapline troops entering that diſtrict.

May 28.

There is at this moment circulating in Paris a news, which, if it be confirmed, will be of the higheſt importance, and will have a great influence on the deſtinies of Europe. It is ſaid, upon the authority of letters from Vienna, of the dated May 21, that Ruſſia has declared war againſt Pruſſia. It is at leaſt certain that Ruſſia has ſpoken to Pruſſia in a tone of menace becoming; and that Pruſſia, in its reply, aſſumed a tone firm and energetic. The Britiſh Miniſter has declared at Peterſburgh that he was firmly reſolved not to enter into a war on againſt France. It is added, that a declaration has been made at the Court of Vienna.—*(Surveillant).*

The King of Pruſſia has granted a paſſage through his territory for 6000 horſe for us.

A corps of the Pruſſian army is aſſembling on the frontiers of Bohemia. On the other hand, the Ruſſian troops are arriving on the confines of Pruſſian Poland.

NICE, May 17.

In purſuance of the invitation of the new Adminiſtration, the Municipal Body of the Canton of Nice announced by ſound of trumpet the following intelligence:

"The army of Naples, in conjunction with that of Moreau, has completely routed the army at Aleſſandria, driven him from Verſeil and La Lumelime, and is in purſuit of him." This intelligence is officially confirmed.

Note of the editors of La Clef du Cabinet. We cannot avoid obſerving, that we conſider this news as OFFICIAL, becauſe the Government ſtill continues ſilent on the ſubject.

LAUSANNE, May

Letters of yeſterday confirm the victory obtained by the French army in Italy. One of them is thus expreſſed: 'I have juſt arrived at Chambery, and I can certainly aſſure you that the French armies are at Milan. Twenty thouſand Auſtrians have loſt their lives in attempting the aſſault of the fort,'

LONDON, June 7.

he Gazette Extraordinary published yesterday morning, contains detailed accounts of the ntages obtained by the Auſtrians in the line. The French have evacuated the cant of Appenzel. The Auſtrians entered St. on the 20th ult. and gen. Bellegarde is at Vienna. The French had loſt 4000 priſoners and 36 pieces of cannon.

ris papers to the 1ſt of June inclusive, have received in town. They contain 2 letters gen. Maſſena to the French Directory, the 24th and 25th ultimo; by the firſt of h it appears "that the Auſtrians were reed in an attempt to croſs the Rhine with a l body of troops on the 23d ult near Cobz, in the canton of Zurich, and Klingnau, the loſs of 300 priſoners, and ſeveral drowned attempting to repaſs the Rhine,"—In the nd letter general Maſſena ſtates, "that the rians having collected a force on the left of the Thur (he does not ſtate how all the ntry between the Rhine and Thur came into poſſeſſion of the Auſtrian troops, and where now remain) he had thought it neceſſary tack them and had driven them back to the t bank of that river. In this action the Aurians are ſaid to have loſt 3300 priſoners, a gſt whom are col. Barco, and capt. Prince, ohenlohe, beſides one ſtandard, 2 pieces of non, and 2000 killed and wounded. The h had 400 killed and wounded."

n article from Straſburgh of the 27th ult e days after Maſſena's action, mentions, at the Auſtrians were in poſſeſſion of Winur, on the right bank of the Tour, and that Swiſs Convention, after naming a committee ven perſons, who, together with the Executive Directory, were to exerciſe all the authoof the ſtate, had diſſolved itſelf. The Dirory, &c. had retired from Lucerne to A—.

e muſt wait for further advices, before we appreciate the true reſult of theſe different rations; but there ſeems no doubt that thing very important has happened, to have ced the Helvetic Convention to have diſſolitſelf. Very fortunate conſequences are ed from this proceeding.

American Intelligence.

NEW YORK, Auguſt 1.

act of a letter from Belfaſt, dated June 7, To ſuch an unexampled ſtate of proſperity the Linen Manufacture riſen in Ireland, that which uſed to ſell at nineteen pence per , ſold this day in our market for three ſhillsand one penny."

How happy, comfortable, and contented, id ſuch prices render our weavers and manurers? What country in Europe can afford ter incentives to induſtry and peaceable deor in its inhabitants of all ranks? Whoever es to interrupt or deſtroy ſuch comforts, des the execration of Ireland as an enemy to kind."

late Dublin paper by the Draper, ſays. he groſs amount of the army and yeomanry, his kingdom, is ſtated at 130,000 men and ry conſiderable force is in perfect readineſs he ſiſter country, to be ſent hither, if neceſ—"

The French directory make but ſhort prayers he councils. They inſiſt that three things wanting to check the enemy; and they are, *ney, Money, Money*. The Abbe Sieyes has n choſen a director, vice Rewbell, and Jean ay the ſcape goat from Koſtnitz, Preſident he Council of Five Hundred.

PHILADELPHIA, Auguſt 2.

Captain Watſon, in the brig Two Siſters, from mburgh, brought London papers of a very late e, which, after conſiderable pains to obtain, we ertained to be loſt.—There is no doubt theſe re of dates ſo late as the 16th of June, and ſt have contained much intereſting intelliice. In one of them, captain Watſon remembered to have read an account, copied from the ndon Gazette, of Earl St. Vincent having ſed the French fleet into Toulon. His Lordp was at anchor off the bay and iſlands of Hieblockading them. Hanover had delared war ainſt the French, and a Ruſſian army of 25,000 n lay in the vicinity of Hamburgh, about to ake an irruption into Grouningen, one of the ven United Provinces of Holland; in co-operation with this deſign, the Britiſh maritime forces rigidly blockaded every Dutch ſea port, and effectually cut off all ingreſs and egreſs. A ſquadron of frigates and gun boats lay in the mouth the Ems.

CINCINNATI, July 30.

xtract of a letter from Mr. David Snodgraſs at Fort Maſſac who lately deſcended the Ohio, to a gentleman in this town, dated June 17, 1799

"The Indians begin to be a little troubleſome, they killed a white man ſome days ago—d the centry here, the other night, killed an dian, for not giving him the counterſign."

The letter further ſtates, that the armed ſhip, *Senator Ruſh*, which paſſed this place laſt ay, ſtill lies at Maſſac.

Pittsburgh, Auguſt 17.

The following letters, written by Mr. R. ſion, the Britiſh Miniſter, we underſtand were und among a parcel left behind by a perſon of e name of SWEENY, on being purſued by proſs of former outlawry, on his way to Upper nada. The magiſtrate into whoſe hands they ll thought they required an examination, and re afterwards diſpatched by him to an officer this State government by whom they were warded to the Preſident of the United States. eſe letters, have been announced in the Jacobin wſpapers, as an evidence of a criminal interference on the part of that Miniſter with the affairs of the Government of United States;—in what view they merit that character our readers will now have an opportunity to determine.

Philadelphia May 6, 1799.

SIR,

THE Government of the United States appears to be nearly in the ſame ſituation with regard to the Shawaneſe Indians, that that of Canada does with the Mohawks. The Shawaneſe with the United States to make ſome alteration of their limits as fixed by the treaty of Grenville; and at the ſame time confirm the ſales of lands they have already made, and authoriſe future alterations. The American miniſters on the other hand, are determined not to grant this favor, and are embarraſſed by the perſevering importunity of the Indians. Advices lately arrived from Fort Wayne, inform the Adminiſtration that the Shawaneſe intend this ſpring to call a general council of the nation (compoſed of repreſentatives of ſeveral tribes) with a view to take ſuch meaſures as may be thought neceſſary to obtain ſome modifications of the Grenville treaty; and the information adds, that the idea was firſt ſuggeſted by the late Col. M'Kee, deputy ſuperintendant of Indian affairs.

The Government conſider this interference as unfriendly and injurious to their intereſts, and a complaint has been made to me on the ſubject by the Secretary of State, with a requeſt that I would make ſuch repreſentation of the matter to you as might produce a defeat of the project at preſent, and prevent all intervention of a ſimilar nature in future.

I informed the Secretary of State, that I could ſcarcely bring myſelf to credit the report reſpecting Col. M'Kee; that at all events, I could not conceive that any thing unfavorable to the United States could have been contemplated by a public officer in the ſervice of Great-Britain, but that I would of courſe make the repreſentation requeſted; that I made no doubt of its having the deſired effect, becauſe I was confident that you were ſincerely diſpoſed to ward off every incident that could give juſt cauſe of miſunderſtanding between the two nations.

The ſituation of public affairs in this country continues the ſame as at the date of my laſt letters, unleſs it be that the government has given a new ſubject of provocation to France, by encouraging in conjunction with us, the negro chief Touſſaint, in meaſures which appear ultimately to tend to a ſeparation of the iſland of St. Domingo from the mother country. Whether this affront will be pocketed by the Directory, I do not pretend to decide; but I cannot perſuade myſelf that it is probable.

I have the honor to be,
With great truth and reſpect,
Sir,
Your moſt obedient humble ſervant,
ROBT. LISTON.

The Hon. Preſident RUSSELL.

Philadelphia, 23d May, 1799.

SIR,

MY laſt having been entruſted to a perſon who was not going directly to Upper Canada, I am uncertain whether it may yet have reached your hands, and therefore take an opportunity of tranſmitting a duplicate.

On public affairs I have ſcarcely any thing to add—one ſtep further on the road to a formal war, between France and the United States, has been taken by the Governor of Gaudaloupe, who in conſequence of the capture of the Inſurgente frigate, has authoriſed French ſhips of war to capture all American veſſels, whether belonging to the government or to individuals. But the reſolution of the Directory on the great queſtion of peace or war is not yet known. Perhaps the new exploſion on the continent of Europe may give them a degree of employment that may retard their deciſion.

In the interior of this country, the declamations of the democratic faction on the conſtitutionality and nullity of certain acts of the legiſlature, have miſled a number of poor ignorant wretches into a reſiſtance to the laws, and a formal inſurrection. This frivolous rebellion has been quelled by a ſpirited effort of certain volunteer corps lately embodied, who deſerve every degree of praiſe. But the conduct of theſe gentlemen having been ſhamefully calumniated by ſome of the popular newspapers, they have ventured to take the law into their own hands, and to puniſh one or two of the printers (by a ſmart flogging) a circumſtance which has given riſe to much animoſity, to threats, and to a commencement of armed aſſociations, on the ſide of the democrats (particularly the United Iriſhmen) and ſome apprehend that the affair may lead to a partial civil war. The portion however of the Jacobinic party, who would carry matters to this extremity is but ſmall; the government is on its guard, and determined to act with vigor: and I do not on the whole apprehend any ſerious danger

I have the honor to be,
With great truth and reſpect,
Sir,
Your moſt obedient humble ſervant,
ROBT. LISTON.

To be Let or Sold,

And poſſeſſion given the firſt of November.

A GRIST MILL and FARM, ſituate on Street's Run, within half a mile of the Monongahela river, and ſix miles from Pittſburgh, now occupied by Henry Wolf. For terms apply at the Store of

DENNY AND BEELEN.

Pittſburgh, Auguſt 15, 1799.

Allegheny County, ſſ

Liſt of Cauſes to be tried at September Term 1799.

William M'Laughlin	vs	John Brown
George M'Gunnigle	vs	John Jordan
Wm. Todd for &c.	vs	Thomas Rees
Nicholas Bautman	vs	William Poggs
Dunning M'Nair	vs	Geo. M Cully's adms.
Solomon Veal	vs	James Sprott
Leſ. of Sam. M'Clure	vs	George Dilworth
Leſ. of David Mead	vs	Frederick Haymaker
Robert Colvill	vs	Robert Vance
George Powers	vs	Anthony Beelen
Joſeph Woods for &c.	vs	Joſiah Tannehill
Leſ of Eben. Hazard	vs	James Lowry & al.
Leſſee of David Mead	vs	Frederick Haymaker
Samuel Hadden	vs	David Duncan's exrs.
Leſſe of Samuel Robinſon's exrs.	vs	Peter Patterſon
William Rowley	vs	John St. Clair
Alexander Wright	vs	Brice M'Keehan
George Wallace & al.	vs	William Gray
Leſ. of Bonnal Robins	vs	Robert Aikens & al.
Archibald Bruce	vs	Samuel Torbet
Henry Aborn for &c.	vs	Miller and Hoope
H. Miller ſupervisor	vs	Samuel Wilſon
Same	vs	Nehemiah Sharp
James Sample	vs	Thos. M'Cleary & al.
John Myers	vs	James Semple
Peter Horebaugh	vs	Alex. W. Foſter, Eſq.
H. Miller ſupervisor	vs	James M'Clelland
Michael Smith	vs	Henry Nyman
John Woods	vs	James Blaſkford
Richard Penn's exrs.	vs	B. Kuykendall's exrs.
Thomas Whitney	vs	Robert Griffin
Alexander Thompſon	vs	Edward Hale & al.
Joſeph Engleman	vs	Moſes Ford & al.
Ambroſe Updegraff	vs	Samuel Jones
Leſ. of Eben Denny	vs	John Fowler
Leſ. of H. Alexander	vs	Robert Williby
Leſ. of P. Audrain	vs	John Curry
Samuel Dodge	vs	Thomas Reeſe
Geo. Wallace for &c.	vs	George Moore
William M'Donald	vs	James Riddle
Henry Kennedy	vs	Caſper Herſhman
Leſſee of Alexander Brown	vs	James Hartford and Thomas Hartford
John Dunwoody	vs	James Buchanan
Andrew Wilſon	vs	Marcus Hulings
James Carſon	vs	John Clows
William Skiles	vs	Thomas Crabb
Melchor Beltzhoover	vs	Jacob Aul
Frederick Rice	vs	John Frederbaugh
William Jackſon	vs	John M'Maſters
Jacob Aul	vs	Melchor Beltzhoover
R. & I. Brotherton	vs	Robert Colhoun
Sally Myers, pro ami	vs	Sarah Doney
Joſeph Applegate	vs	Robert Baldwin
Leſſee of M. Kunckle	vs	John Henderſon
Leſſee of John Scott	vs	Samuel Kincade
Leſſee of John Davis	vs	John Kerr
John Hammel	vs	Joſeph Cox
Cunningham Findley	vs	Benoni Dawſon
Henry Major	vs	Joſeph Patterſon
Joſeph Patterſon & al.	vs	Ely Lyon
Samuel Rippey	vs	John Beamer
James Gibſon	vs	John S Porter
Robert Smith	vs	Robert M'Connell
Andrew Robertſon	vs	Denny M'Clure
Leſſee of Sam. Robb	vs	Robert Thornburgh
Thomas Stokely	vs	Robert Hunter
George Bowers	vs	Samuel Rippey
Leſ of Jas. Buchanan	vs	John Milligan
Commonwealth	vs	Mark Beaty
Matthew Hartford, aſſignee of Jas. Moore and Neal M'Coy	vs	David Potter and John Welch
James Moore and Neil M'Coy	vs	David Porter
Alex Beaumont for &c.	vs	R & I. Brotherton
Griffin and Morriſon	vs	Henry Wolf
James Kerwin	vs	James Anderſon
C. Wineſiddle's exrs.	vs	John Irwin
Joſhua Bentley	vs	Zadock Wright, jun.
James Horner & Co.	vs	John Semple
William M'Mullen	vs	Samuel Kelly
Jas. & Wm Miller	vs	Adam Funk
Freeman Atwater	vs	Charles I. Reed and John M. Reed
Young & White in Co	vs	James Lowry
John Frederbaugh	vs	Henry Beaker
Dug. M'Nair for &c.	vs	James Leſly & al.
Thomas Reeſe aſſ.	vs	William Myers
Wm Craig, aſſ.	vs	Benjamin I. Brice
James Morriſon	vs	R Griffin and H. Wolf
Alex. Swan for	vs	Nathaniel Lyon
Same	vs	Same
Davis and Cope	vs	James Marſhall
Leſſee of John Clark and wife	vs	Wm Johnſton
Ebenezer Findley	vs	Marſhall and M'Munn

NOTICE.

A LARGE quantity of *RIFLE GUNS*, will be expoſed to ſale at public auction, at the the Market Houſe, in Pittſburgh, on Tueſday the 3d day of September next, at ſix months credit, giving approved ſecurity. The ſale will begin at ten o'clock in the morning, and continue from day to day till they are all ſold—attendance will be given by

JOHN WILKINS.

Auguſt 15, 1799.

NOTICE.

ALL perſons indebted to *DENNY & BEELEN*, are requeſted to make payment before the 10th of next month.

Pittſburgh, Auguſt 16, 1799.

NOTICE.

THE ſubſcriber, in the beginning of the year 1797, repaired two RIFLE GUNS, one for a certain M'Glaghlin, the owner of the other not known. The owners of ſaid Rifles are hereby required to come forward and pay the charges for repairing before the firſt day of October next, or they will then be ſold for to pay that charge.

JOHN GLASS.

Auguſt 13, 1799.

Four Dollars Reward.

BROKE out of the incloſure of William Thompſon, in Pitt townſhip, on the 3d of June, a brown HORSE, 8 years old, 15 hands and an half high, marked with the ſaddle.—Whoever takes up ſaid Horſe, and delivers him to the ſubſcriber in Pittſburgh, ſhall receive the above reward and reaſonable charges.

WILLIAM DUNNING.

Auguſt 15, 1799.

TOWN OF PUTTNEY,

LAID off on the lands of Robert Troup, Eſq. of the city of New York, by Daniel M'Elheran, his attorney in fact, in Jefferſon county, in the North Weſtern Territory of the United States. This Town is ſituated in the Wegee Bottom, on the Ohio river, about eight miles below Wheling, and thirty miles below Steubenville, the preſent ſeat of juſtice of that county. From its ſituation and local advantages, there is little room to doubt that it will be made the ſeat of juſtice of a county, to be formed of part of Jefferſon and part of Waſhington counties, after the next diviſion, which will be in one or two years. The Town extends three quarters of a mile in front upon the river—it is ſituated on a high bank, has a convenient harbour, and lies in an excellent farming country. The tract upon which the Town is laid off, contains about 1500 acres, a conſiderable part of which is bottom, and the remainder very fertile and well ſituated. This tract is laid off in Out-Lots of five acres each, in ſquares of a convenient ſize, between which there are ſtreets left for the uſe of holders of Lots. Each ſquare in the Town contains 16 Lots, and are numbered from 1 to 16.

The Lots and Out Lots of this Town will be ſold on the Premiſes on the 22d day of Auguſt next, at Wheling on the 23d, at Charleſtown on the 24th, at Waſhington on the 26th, and at Pittſburgh on the 2d of September—One half of the purchaſe money will be credited 30 days, the reſidue for one year.

There are two excellent ſtreams of water in the townſhip—M'Mahon's creek and the Wegee creek, one about three quarters of a mile below, and the other about two miles above the Town of Puttney, on which there are good mill ſeats. A good road will be opened from the Town to interſect the road leading from Wheling to Chilicothe. There are 50 Town Lots reſerved as a donation to the firſt 50 ſettlers. The Houſes to be not leſs than 18 feet ſquare, with a ſhingled roof.

ROBERT TROUP, by
DANIEL M'ELHERAN, his Attorney.

July 2, 1799.

N. B. A Plan of the Town and Out Lots may be ſeen at Mr. GOODEN'S, Wheling, and at Mr. MORROW'S, Pittſburgh.

The ſubſcriber has alſo for Sale, 3000 acres of Land laying in the townſhip in which the Town of Puttney ſtands, which he will diſpoſe of on reaſonable terms in ſmall farms to accommodate purchaſers.—Alſo, 7300 acres of Land in ſeveral tracts, north weſt of the river Ohio, which he will ſell on moderate terms—alſo, 19,198 acres of Land, in two tracts, in Fayette county, and ſtate of Kentucky. For further particulars apply to the ſubſcriber at Thomas Edgerton's, lower end of Holloday's Cove, when not there, at Wheling.

DANIEL M'ELHERAN.

BY YESTERDAY'S MAIL.

BOSTON, Auguſt 5.

Laſt evening arrived, brig Alert, captain Rich, from the Mediterranean. Capt. Rich left Alicant the 20th, and Gibraltar the 29th June. In ſailing down the Streights, on the 25th June, he was beſet by two French privateers, with their pendant and bloody flag flying; and the wind being too light to proceed without annoyance from them, he was compelled to reſort to his iron arguments, with which he very ſoon convinced them, by the force of his logic, that in this kind of reaſoning, Americans were now determined to treat their marauding *allies*.

Capt. Rich informs, that the Breſt fleet was ſtill blockaded at Toulon, by earl St. Vincent who had been joined by admiral Gardner, with 14 ſail of the line; with this addition, the Engliſh naval force amounted to 40 ſail of the line: that the Spaniſh fleet had all reached Carthagena, and that 12 ſail had been repaired, and were ready for ſea—whither the Britiſh allowed them to proceed, if they choſe, not having attempted to blockade them.

PHILADELPHIA, Auguſt 9.

A gentleman who came paſſenger in the ſhip Dominick Terry from Liſbon, brings the following articles, which he ſays were received at Liſbon by a Portugueſe brig of war, from Falmouth:

Liſbon, June 18.

By the arrival of Captain Gieſt in 8 days from Hamburgh, we have the following intelligence:

General Maſſena in a very bloody engagement with the Archduke Charles, loſt 10,000 men killed and 8,000 taken priſon, which the captain ſays appeared in all the public papers and was univerſally believed—Further confirmation this morning, 20th June, by the arrival of a Portugueſe brig of war, in 6 days from Falmouth, in which came paſſenger, the Duke of Luxemburg's ſon, who confirms the above authentically received in England—with an addition, that Maſſena himſelf is taken priſoner, together with the military cheſt and all the camp equipage—that the peaſants in conſequence of the victory, have riſen in maſs; and the remnant of Maſſena's army who had fled for priſoners to them.

A letter from Liſbon of the 19th of June, mentions the King of Spain having ſigned a permiſſion for the French troops to march through his territories to attack Portugal—the Portugueſe are unanimouſly oppoſed to the French—the French are entirely expelled from Italy—Switzerland has riſen en maſſe—at Lyons oppoſition to the Republic has again reared its head—Genoa is taken by the Auſtrians, the French juſt before leaving it levied three hundred thouſand pounds ſterling—Mantua is taken; the Ciſalpine republic is no more, its directors have fled. A diviſion of M'Donald's army has been deſtroyed by the Romans; ſeveral expreſſes requiring his retreat have been intercepted. The Ruſſians neither give nor receive quarters—every Italian found in arms is hung or ſhot.

10. The men ſhall, at their requeſt, be furniſhed with ſlops that are neceſſary, by order of the captain, and the amount delivered to each man, ſhall be regularly returned by the purſer, ſo that the ſame be ſtopt out of his pay. *Men to be furniſhed with ſlops.*

11. All officers not having commiſſions or warrants (or appointed commiſſion or warrant officers for the time being) are termed petty or inferior officers. *Who are petty officers.*

12. Whenever any interior officer, ſeaman, or other perſon, be turned over into the ſhip of a commander other than the one with whom he entered, he is not to be rated on the ſhip's books in a worſe quality, or lower degree or ſtation than he ſerved in the ſhip he was removed from; and for the guide of the captain, he is to demand from the commander of the ſhip from which ſuch perſon or perſons were turned over, a liſt, under his hand, of his or their names, and the quality in which he or they ſerved. *Petty officers and ſeamen turned over into another ſhip, not to be rated lower, &c.*

13. Any officer, ſeaman or other perſon entitled to wages or prize money, may have the ſame paid to his aſſignee, provided the aſſignment be atteſted by the captain and the purſer; but the captain or commander of every veſſel in the ſervice of the United States, is to diſcourage his crew from ſelling any part of their wages or prize money, and never to atteſt the letter of attorney until he is ſatisfied that the ſame is not granted in conſideration of money given for the purchaſe of wages, or ſhares of prize money. *Wages and prize money may be paid to aſſignees.*

14. When any officer or other perſon dies, the captain is forthwith to have his name entered on the books of the ſhip, in order to the wages being forthwith paid to his executors or adminiſtrators. *In caſe of death, the name to be entered on the books.*

15. A convenient place ſhall be ſet apart for the ſick or hurt men, to which they are to be removed, with their hammocks and bedding, when the ſurgeon ſhall adviſe the ſame to be neceſſary, and ſome of the crew ſhall be appointed to attend them, and keep the place clean; cradles and buckets, with covers, ſhall be made for their uſe, if neceſſary. *Treatment of ſick and hurt men.*

16. All ſhips furniſhed with fiſhing tackel, being in ſuch places where fiſh is to be had, the captain is to employ ſome of the company in fiſhing: The fiſh to be daily diſtributed to ſuch perſons as are ſick, or upon recovery, provided the ſurgeon recommend it, and the ſurplus, by turns, amongſt the meſſes of the officers and ſeamen gratis, without any deduction of their allowance of proviſions on that account. *Fiſhing.*

17. It is left to the diſcretion of commanders of ſquadrons, to ſhorten the allowance of proviſions, according to the exigence of the ſervice, taking care that the men be punctually paid for the ſame: The like power is given to captains of ſhips acting ſingly, where it is deemed neceſſary, and if there ſhould be a want of pork, the captain is to order three pounds of beef to be iſſued in lieu of two pounds of pork. *In caſe of exigence, allowance of proviſions may be ſhortened.*

18. If any ſhips of the United States ſhall happen to come into port in want of proviſions, the warrant of the commander

Warrant for supply of provisions.

of the ſquadron, or of a captain where there is no commander of a ſquadron preſent, ſhall be ſufficient to procure the ſupply of the quantity wanted, from the agent, or navy agent at ſuch port.

Proviſions to be inſpected.

19. The captains are frequently to cauſe to be inſpected the condition of the proviſion, and if the bread proves damp, to have it aired upon the quarter deck, and other convenient places; and in caſe of the pickle being leaked out of the fleſh caſks, he is to have new pickle made and put therein, after ſuch caſks are repaired.

Cloaths, &c. of deceaſed to be ſecured.

20. The captain ſhall cauſe the purſer to ſecure the cloaths, bedding and other things, of ſuch perſons as ſhall die or be killed, to be delivered to their executors or adminiſtrators.

Papers found on board of captured veſſels to be preſerved.

21. All papers, charter-parties, bills of lading, paſſports and other writings whatſoever, found on board any ſhip or ſhips which ſhall be taken, ſhall be carefully preſerved, and the originals ſent to the court of juſtice for maritime affairs, appointed or to be appointed for judging concerning ſuch prize or prizes; and if any perſon or perſons ſhall wilfully or negligently deſtroy or ſuffer to be deſtroyed any ſuch paper or papers, he or they ſo offending, ſhall forfeit his or their ſhare of ſuch prize or prizes, and ſuffer ſuch other puniſhment as they ſhall be judged by a court-martial to deſerve: And if any perſon or perſons ſhall embezzle or ſteal, or take away any cables, anchors, ſails or any of the ſhip's furniture, or any of the powder, arms, ammunition or proviſions of any ſhip belonging to the United States, or of any prize taken by a ſhip or ſhips aforeſaid, or maltreat or ſteal the effects of any priſoner, he or they ſo offending, ſhall ſuffer ſuch puniſhment as a court-martial ſhall order.

Penalty on ſtealing certain things.

Preparation for fight.

22. When in ſight of any ſhip, ſhips or other veſſels of the enemy, or at ſuch other times as may appear neceſſary to prepare for an engagement, the captain ſhall order all things in his ſhip in a proper poſture for fight, and ſhall, in his own perſon, and according to his duty, heart on and encourage the inferior officers and men to fight courageouſly, and not to behave themſelves faintly, or cry for quarters, on pain of ſuch puniſhment as the offence ſhall appear to preſerve, for his neglect.

Cowardice.

23. Any captain, officer or other perſon who ſhall not exert himſelf, or who ſhall baſely deſert his duty or ſtation in the ſhip, and run away while the enemy is in ſight, or in time of action, or ſhall entice others to do ſo, ſhall ſuffer death, or ſuch other puniſhment as a court-martial ſhall inflict.

Mutiny and ſedition

24. Any officer, ſeaman, mariner or other perſon who ſhall diſobey the orders of his ſuperior, or begin, excite, cauſe or join in any mutiny or ſedition, in the ſhip to which he belongs, or in any other ſhip or veſſel in the ſervice of the United States, on any pretence whatſoever, ſhall ſuffer death, or ſuch other puniſhment as a court-martial ſhall direct; and further, any perſon in any ſhip or veſſel belonging to the ſervice aforeſaid, who ſhall utter any words of ſedition and mutiny, or endeavor to make any mutinous aſſembly, on any pretence whatſoever, ſhall ſuffer ſuch puniſhment as a court-martial ſhall inflict,

25. None ſhall preſume to quarrel with or ſtrike his ſuperior officer, on pain of ſuch puniſhment as a court-martial ſhall order to be inflicted. *Quarreling with, or ſtriking a ſuperior officer.*

26. If any perſon ſhall apprehend he has juſt cauſe of complaint, he ſhall quietly and decently make the ſame known to his ſuperior officer, or to the captain, as the caſe may require, who ſhall take care that juſtice be done him. *To whom complaints ſhall be made known.*

27. There ſhall be no quarrelling or fighting between ſhipmates, on board any ſhip belonging to the United States, nor ſhall there be uſed any reproachful or provoking ſpeeches, tending to make quarrels and diſturbances, on pain of impriſonment or of ſuch puniſhment as the captain, or a court-martial ſhall judge proper to inflict. *Quarreling and fighting, &c.*

28. If any perſon ſhall ſleep upon his watch, or negligently perform the duty which ſhall be enjoined him to do, he ſhall ſuffer ſuch puniſhment as the captain or a court-martial ſhall inflict. *Neglect of duty.*

29. All murder ſhall be puniſhed with death. *Murder*

30. All robbery and theft, not exceeding twenty dollars, ſhall be puniſhed at the diſcretion of the captain, and above that ſum, as a court-martial ſhall inflict. *Robbery and theft.*

31. Any maſter of arms, or other perſon of whom the like duty may be required, refuſing to receive ſuch priſoner or priſoners as ſhall be committed to his charge, or having received them, ſhall ſuffer him or them to eſcape; or diſmiſs them without orders from his captain, the commander in chief of the navy, or the commander of a ſquadron, for ſo doing, ſhall ſuffer in his or their ſtead, as a court-martial ſhall order and direct. *Maſter of arms miſbehaving*

32. The captains, officers and others, ſhall uſe their utmoſt endeavors to detect, apprehend and bring to puniſhment all offenders, and ſhall at all times readily aſſiſt all officers and others appointed for that purpoſe, in the diſcharge of ſuch duty, when it is required, on pain of being proceeded againſt and puniſhed by a court-martial, at diſcretion. *Duty of detecting and apprehending offenders.*

33. If any officer whatſoever, mariner, marine, ſoldier or other perſon, belonging to any ſhip or veſſel of war in the ſervice of the United States, ſhall give, hold or entertain intelligence, to or with any enemy or rebel, without leave from the government, commander in chief, or in caſe of a ſingle ſhip, from his captain, every ſuch perſon ſo offending, and being thereof convicted by the ſentence of a court-martial, ſhall be puniſhed with death. *Correſpondence with enemies or rebels.*

34. If any letter or meſſage from an enemy or a rebel, be conveyed to any officer, mariner, marine or other perſon belonging to any ſhip or veſſel in the ſervice of the United States, and the perſon as aforeſaid ſhall not within twelve hours, having opportunity ſo to do, acquaint his ſuperior or commander in chief with it, or if any ſuperior officer being acquainted therewith, ſhall not in convenient time reveal the ſame to the commander in chief, commander of a ſquadron, or other proper officer appointed to take cognizance of ſuch of- *Letters or meſſages from enemies or rebels to be made known.*

ſpace, every ſuch perſon ſo offending, and being convicted thereof by the ſentence of a court-martial, ſhall be puniſhed with death, or ſuch other puniſhment as the nature and degree of the offence ſhall deſerve, and according to the ſentence of a court-martial.

Spies.

35. All ſpies, and all perſons whatſoever, who ſhall come or be found in the nature of ſpies, to bring or deliver any ſeducing letter or meſſage, from an enemy or rebel, or endeavor to corrupt any captain, officer, mariner, marine or other perſon in the fleet, to betray his truſt, being convicted of any ſuch offence by the ſentence of a court-martial, ſhall be puniſhed with death, or ſuch other puniſhment as the nature and degree of the offence ſhall deſerve, and the court-martial ſhall impoſe.

Supplying enemies or rebels.

36. No perſon in a fleet, or in a ſingle ſhip or veſſel, ſhall ſupply an enemy or rebel with ſtores, money, victuals, arms, ammunition or any kind of ſtores, directly or indirectly, upon pain of death, or ſuch other puniſhment as a court-martial ſhall think fit to impoſe, and as the nature and degree of the crime ſhall deſerve.

Running away to the enemy, &c. or yielding cowardly, &c.

37. Every perſon in or belonging to any ſhip or veſſel in the ſervice of the United States, who ſhall deſert or run away with any veſſel or boat, to the enemy or otherwiſe, or with any effects of the United States whatſoever, or yield up the ſame cowardly or treacherouſly, ſhall ſuffer death, or ſuch other puniſhment as a court-martial ſhall inflict.

Duty as to convoy.

38. The officers and ſeamen, &c. of all ſhips appointed for convoy and guard of merchantmen, ſhall diligently attend upon that charge without delay, according to their inſtructions, and whoſoever ſhall be faulty therein, ſhall be puniſhed as a court-martial ſhall direct.

Penalty on receiving merchandize on board.

39. If any captain, commander or other officer of any ſhip or veſſel in the ſervice of the United States, ſhall receive or permit on board his veſſel, any goods or merchandize, other than for the ſole uſe of his veſſel, except gold, ſilver or jewels, and except the goods and merchandize of veſſels which may be in diſtreſs or ſhipwrecked, or in imminent danger of being ſhipwrecked, in order to preſerve them for the proper owner, without legal orders from the naval department, every perſon ſo offending, being convicted thereof by the ſentence of a court-martial, ſhall be cashiered, and be forever afterwards rendered incapable to ſerve in any place or office in the navy ſervice of the United States.

Waſte and embezzlement of ſtores.

40. There ſhall be no waſteful expence of any powder, ſhot, ammunition or other ſtores, in the veſſels belonging to the United States, nor any embezzlement thereof, but the ſtores and proviſions ſhall be carefully preſerved, upon pain of ſuch puniſhment to be inflicted upon the offenders, abettors, buyers and receivers, as ſhall be by a court-martial found juſt in that behalf.

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41. Every perſon in the navy, who ſhall unlawfully burn or ſet fire to any kind of public property, not then appertaining to an enemy, pirate or rebel, being convicted of any ſuch offence by the ſentence of a court-martial, ſhall ſuffer death. *Unlawfully ſetting fire to public property.*

42. Care ſhall be taken, in ſteering and conducting every ſhip belonging to the United States, ſo that through wilfulneſs, negligence or other defaults, no ſhip be ſtranded or hazarded, upon pain that ſuch as ſhall be found guilty therein, be puniſhed as the offence, by a court-martial, ſhall be judged to deſerve. *Care to be uſed in navigating*

43. Every officer or other perſon in the navy, who ſhall knowingly make or ſign a falſe muſter, or procure the making or ſigning thereof, or ſhall aid or abet in the ſame, ſhall be caſhiered, and rendered incapable of further employment in the navy ſervice of the United States, and ſhall forfeit all the pay and ſubſiſtence money due to him. *Making a falſe muſter.*

44. Every perſon guilty of mutiny, deſertion or diſobedience to his ſuperior officer on ſhore, acting in the proper line of his duty, ſhall be tried by a court-martial, and ſuffer the like puniſhment for every ſuch offence, as if the ſame had been committed at ſea, on board any ſhip or veſſel of war in the ſervice of the United States. *Mutiny, deſertion, and diſobedience on ſhore.*

45. If any perſon belonging to any ſhip or veſſel of war in the ſervice of the United States, ſhall when on ſhore, on duty or otherwiſe, plunder, abuſe or maltreat any inhabitant, or injure his property in any way, ſuch perſon ſhall be puniſhed as a court-martial ſhall direct. *Offences on ſhore againſt the inhabitants.*

46. All faults, diſorders and miſdemeanors which ſhall be committed on board any ſhip belonging to the United States, and which are not herein mentioned, ſhall be puniſhed according to the laws and cuſtoms in ſuch caſes at ſea. *Puniſhment of miſdemeanors not ſpecified.*

47. No court-martial to be held or appointed by virtue of this act, ſhall conſiſt of more than thirteen, nor leſs than five perſons, to be compoſed of ſuch commanders of ſquadrons, captains and ſea lieutenants, as are then and there preſent, and as are next in ſeniority to the officer who preſides; but no lieutenants ſhall ſit on a court-martial held on a captain, or a junior lieutenant on that of a ſenior. *How a court martial ſhall be compoſed.*

48. Every member of a court-martial, ſhall take the following oath: "I, A. B. do ſwear, that I will well and truly try, and impartially determine the cauſe of the priſoner now to be tried, according to the rules of the navy of the United States. So help me God." Which oath ſhall be adminiſtered by the preſident to the other members, and the preſident himſelf ſhall be ſworn by the officer next in rank; and as ſoon as the above oath ſhall have been adminiſtered, the preſident of the court is required to adminiſter to the judge-advocate, or perſon officiating as ſuch, an oath in the following words: "I, A. B. do ſwear, that I will not, upon any account, at any time whatſoever, diſcloſe or diſcover the vote or opinion of any particular member of this court-martial, unleſs thereto required by *Oaths of the court-martial.* *Judge advocate.*

an act of Congreſs. So help me God." And all witneſſes, before they be admitted to give evidence, ſhall take the following oath: "I, A. B. do ſwear, that the evidence I ſhall give in the cauſe now in hearing, ſhall be the truth, the whole truth, and nothing but the truth. So help me God."

and witneſſes.

Sentences of courts martial, in capital caſes, to be confirmed, &c.

49. The ſentence of a court-martial for any capital offence, ſhall not be put in execution until it be confirmed by the commander in chief of the fleet. And it ſhall be the duty of the preſident of every court-martial, to tranſmit to the commander in chief of the fleet, and to the head of the navy department, every ſentence which ſhall be given, with a ſummary of the evidence and proceedings thereon, as ſoon as may be.

Commander in chief may remit ſentences of death.

50. The commander in chief of the fleet, for the time being, ſhall have power to pardon and remit any ſentence of death, in conſequence of any of the aforementioned articles.

Miſbehaviour of witneſſes.

Sec. 2. *And it is hereby further enacted*, That if any perſon in the navy ſervice, being called upon to give evidence at any court-martial, ſhall refuſe to give his evidence upon oath, or ſhall prevaricate in his evidence, or behave with contempt to the court, it ſhall and may be lawful for ſuch court-martial to puniſh ſuch offender by impriſonment, at the diſcretion of the court; ſuch impriſonment, in no caſe to continue longer than three months; and that all and every perſon and perſons who ſhall commit any wilful perjury, in any evidence or examination upon oath at ſuch court-martial, or who ſhall corruptly procure or ſuborn any perſon to commit ſuch wilful perjury, ſhall and may be proſecuted in any of the courts of the United States, by indictment or information. And all and every perſon lawfully convicted upon any ſuch indictment or information, ſhall be puniſhed with ſuch pains and penalties as are inflicted for the like offences, by the laws therein provided.

Perjury & ſubordination thereof.

Authority of the officers to continue after the veſſel is loſt.

Sec. 3. *And it is hereby further enacted by the authority aforeſaid*, That in all caſes where the crews of the ſhips or veſſels of the United States, ſhall be ſeparated from their veſſels, by the latter being wrecked, loſt or deſtroyed, all the command, power and authority, given to the officers of ſuch ſhips or veſſels, ſhall remain and be in full force, as effectually as if ſuch ſhip or veſſel was not ſo wrecked, loſt or deſtroyed, until they ſhall be regularly diſcharged from the ſervice of the United States, or removed into ſome other of its ſaid ſhips, or until a court-martial ſhall be held to enquire into ſuch loſs of the ſaid ſhip or veſſel; and if upon enquiry it ſhall appear by the ſentence of the court-martial, that all or any of the officers, ſeamen, marines and others of the ſaid ſhip or veſſel, did their utmoſt to preſerve, get off or recover the ſaid ſhip or veſſel, and after the loſs thereof, did behave themſelves obediently to their ſuperior officers, according to the diſcipline of the navy and the ſaid articles and orders herein before eſtabliſhed, then all the pay and wages of the ſaid officers and ſeamen, or ſuch of them as ſhall have done their duty as aforeſaid, ſhall con-

In ſuch caſe a court martial is to be held.

tinue and go on, and be paid to the time of their diſcharge or death; and every ſuch officer or ſeaman, who after the wreck or loſs of his ſaid ſhip or veſſel, ſhall act contrary to the diſciple of the navy, or the articles herein before eſtabliſhed, or any of them, ſhall be ſentenced by the ſaid court-martial, and be puniſhed as if the ſhip to which he did belong, was not ſo wrecked or deſtroyed.

Priſoners pay to go on.

Sec. 4. *And be it further enacted*, That all the pay and wages of ſuch officers and ſeamen of any of the ſhips of the United States, as are taken by the enemy, and upon enquiry at a court-martial, ſhall appear by the ſentence of the ſaid court, to have done their utmoſt to defend the ſhip or ſhips, and ſince the taking thereof, to have behaved themſelves obediently to their ſuperior officers, according to the diſcipline of the navy, and the ſaid articles and orders herein before eſtabliſhed, ſhall continue and go on as aforeſaid, until they be exchanged and diſcharged, or until they ſhall die, whichever may firſt happen: *Provided always*, That perſons flying from juſtice, ſhall be tried and puniſhed for ſo doing.

To whom prizes ſhall belong.

Sec. 5. *And be it further enacted*, That all captured national ſhips or veſſels of war, ſhall be the property of the United States; all other ſhips or veſſels, being of ſuperior force to the veſſel making the capture, in men or in guns, ſhall be the ſole property of the captors; and all ſhips or veſſels of inferior force, ſhall be divided equally between the United States and the officers and men of the veſſel making the capture.

Diſtribution of prize money and bounty.

Sec 6. *And be it further enacted*, That the produce of prizes taken by the ſhips of the United States, and bounty for taking the ſhips of the enemy, be proportioned and diſtributed in the manner following, to wit:

1. To the captain actually on board at the time of taking any prize, being other than public or national veſſel, or ſhip of war, three twentieths of that proportion of the proceeds belonging to the captors.

2. If ſuch captain or captains be under the immediate command of a commander in chief, or commander of a ſquadron, having a captain on board, ſuch commander in chief, or commander of a ſquadron, to have one of the ſaid twentieth parts, and the captain taking the prize, the other two twentieth parts.

3. To the ſea lieutenants and ſailing maſter two twentieths.

4. To marine officers, the ſurgeon, purſer, boatſwain, gunner, carpenter, maſter's mate and chaplain, two twentieths.

5. To midſhipmen, ſurgeon's mates, captain's clerk, clergyman or ſchoolmaſter, boatſwain's mates, gunner's mates, carpenter's mates, ſhip's ſteward, ſail maker, maſter at arms, armourer and cockſwain, three twentieths.

6. Gunner's yeoman, boatſwain's yeoman, quarter maſters, quarter gunners, cooper, ſail maker's mates, ſergeant of marines, corporal of marines, drummer and fifer, and extra petty officers, three twentieths.

7. To ſeamen, ordinary ſeamen, marines and boys, ſeven twentieths.

8. Any officer on board having more poſts than one, is only entitled to the ſhare belonging to his ſuperior office, according to the regulations aforeſaid.

9 Whenever one or more ſhips of the United States, are in ſight at the time of any one or more other ſhips as aforeſaid are taking a prize or prizes, or being engaged with an enemy, and they ſhall all be to in ſight when the enemy ſhall ſtrike or ſurrender, they ſhall ſhare equally, according to the number of guns and men on board of each ſhip ſo in ſight; but no privateer or armed ſhip, being in ſight of a national ſhip of war at the taking of any prize, ſhall be entitled to any ſhare in ſuch prize or prizes.

10. Commanders of ſhips of war taking any prize, are to tranſmit, as ſoon as poſſible, to the naval department, a true liſt of the officers and men actually on board at the taking of ſuch prize, inſerting therein the quality of every perſon's rating, and the department aforeſaid is to examine the ſaid liſt by the ſhip's muſter-book, to ſee their agreement, and is to grant certificates of the truth of ſuch liſt tranſmitted, in order that the agents appointed by the captors, make payment of the ſhares agreeably to this act.

11. In order to define the rights and privileges of commanders in chief, commanders of ſquadrons, and captains, in relation to captures—no commander in chief, or commander of a ſquadron, ſhall be entitled to recieve any ſhare of prizes taken by the ſhips of war of the United States that are not put under his immediate command, nor of ſuch prizes as may have been taken previous to ſuch ſhip's being placed under his command, and until they have acted under his immediate orders; nor ſhall a commander in chief, or commander of a ſquadron, returning home from any ſtation where he had the command, have any ſhare in prizes taken by ſhips left on ſuch ſtation, after he has got out of the limits of his ſaid command.

12. Captains ſailing ſpecially under orders from the navy department, are clearly to be underſtood as acting ſeparately from any ſuperior officer.

13. The bounty given by the United States, on any national ſhip of war taken from the enemy and brought into port, ſhall be, for every cannon mounted, carrying a ball of twenty-four pounds or upwards, two hundred dollars; for every cannon carrying a ball of eighteen pounds, one hundred and fifty dollars; for every cannon carrying a ball of twelve pounds, one hundred dollars; for every cannon carrying a ball of nine pounds, ſeventy-five dollars; for every ſmaller cannon, fifty dollars; and for every officer and man taken on board, forty dollars; which ſums are to be divided agreeably to the foregoing articles.

Sec. 7. *And be it further enacted*, That for the ſhips or goods belonging to the citizens of the United States, or to the